

05909 U.S. PTO



040804

Frederick P. Fish
1855-1930

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1859-1951

FISH & RICHARDSON P.C.

April 8, 2004

Attorney Docket No.: 17391-002001

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: TSONTCHO IANCHULEV

Title: INTRAOPERATIVE ESTIMATION OF INTRAOCULAR LENS POWER

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	9
Claims	3
Abstract	1
Declaration	[To be Filed at a Later Date]
Drawing(s)	2

Enclosures:

- Postcard.
- Request and Certification under 35 USC 122(b)(2)(B)(i).

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/461,429, filed April 10, 2003.

This application is entitled to small entity status.

Basic filing fee	\$385
Total claims in excess of 20 times \$9	\$9
Independent claims in excess of 3 times \$43	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$394

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

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If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

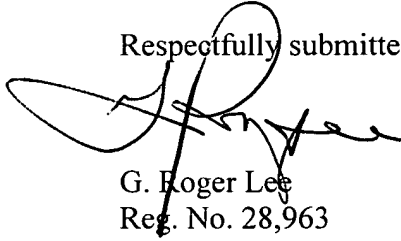
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

26161

Customer Number

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Roger Lee', is written over the text 'Respectfully submitted,'.

G. Roger Lee
Reg. No. 28,963

Enclosures

GRL/mxm

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Tsontcho Ianchulev

Title

Intraoperative Estimation of Intraocular Lens
Power

Atty Docket Number

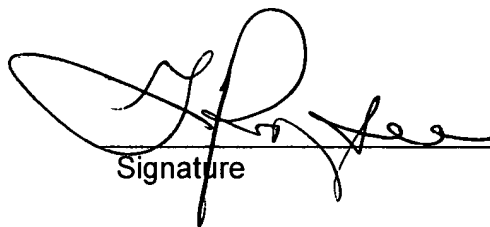
17391-002001

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date

4/5/04

Signature



G. Roger Lee

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**